

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

BILLY PAIGE, on behalf of	)	
himself and the class he	)	
seeks to represent,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:18cv737-MHT
	)	(WO)
EQUITY GROUP EUFAULA	)	
DIVISION, LLC, a	)	
subsidiary of Keystone	)	
Foods, LLC,	)	
	)	
Defendant.	)	

OPINION AND ORDER

This employment-discrimination case is before the court on defendant Equity Group Eufaula Division, LLC's motion to dismiss (doc. no. 22). After plaintiff Billy Paige voluntarily dismissed certain claims, only a disparate-treatment claim remains. Upon consideration of Equity Group's brief in support of its motion to dismiss (doc. no. 23), and in light of Paige's response (doc. no. 26), and Equity Group's reply (doc. no. 27), the court finds that, as to the one remaining claim for

disparate treatment, Paige's amended complaint (doc. no. 13) presents a "short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2); *see generally* *Ashcroft v. Iqbal*, 556 U.S. 662 (2009) (interpreting the federal rule); *Swierkiewicz v. Sorema N. A.*, 534 U.S. 506 (2002) (interpreting the federal rule in the specific context of employment discrimination); *McCurdy v. State of Alabama Disability Determination Serv.*, No. 2:13cv934-MHT, 2015 WL 5737103 (M.D. Ala. Sept. 30, 2015) (Thompson, J.) (adopting a recommendation applying the federal rule in an employment discrimination case).

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Accordingly, it is ORDERED that defendant Equity Group Eufaula Division, LLC's motion to dismiss (doc. no. 22) is denied.

DONE, this the 20th day of February, 2020.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE